

Misc. No. C-06-61

Cr. No. H-01-704 (7)


On June 15, 2006, the undersigned received two documents from Jose E. Colunga, Jr. (“Colunga”), both of which contain the title “Memorandum of Record.” Both are largely incoherent documents. They contain seemingly-random references to principles of contract and to the Uniform Commercial Code, as well as numerous Latin phrases for effect. As best this Court can tell, however, Colunga is challenging his conviction and sentence in Cr. No. H-01-cr-704. He also appears to be complaining about the rulings made by the presiding judge in his criminal case, United States District Judge Lynn N. Hughes, in addressing numerous post-conviction motions filed by him.

The two documents were addressed to the undersigned, and apparently were directed toward this Court solely by virtue of the undersigned's position as Chief Judge for the Southern District of Texas. This Court notes, however, that he has had no involvement in Colunga's criminal case. Moreover, the undersigned does not, by his position of Chief Judge, have any authority to intervene or make rulings in cases not assigned to him, nor to overrule or alter previous rulings by another District Judge of the Southern District of Texas.

Accordingly, to the extent that Colunga's memoranda seek to challenge his conviction or sentence, they should be docketed in his criminal case. Judge Hughes may take whatever action, if any, he deems necessary to address Colunga's filings.

For the foregoing reasons, it is ORDERED that the Clerk of the Court docket both this Order and Colunga's two memoranda in his criminal case, H-01-cr-704, and administratively close the miscellaneous case opened in the Corpus Christi Division.

ORDERED this 24 day of July, 2006.


HAYDEN HEAD
CHIEF JUDGE